



Rep. Michael J. Madigan

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1 AMENDMENT TO SENATE BILL 1466

2 AMENDMENT NO. _____. Amend Senate Bill 1466, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Election Code is amended by changing the
6 heading of Article 9 and Sections 9-1.4, 9-1.5, 9-1.6, 9-1.8,
7 9-1.9, 9-1.10, 9-1.12, 9-1.13, 9-1.14, 9-2, 9-3, 9-5, 9-6, 9-7,
8 9-8, 9-9, 9-10, 9-11, 9-13, 9-16, 9-21, 9-28, 9-30, and 29-12
9 and by adding Sections 9-1.15, 9-8.5, 9-8.6, 9-23.5, 9-28.5,
10 and 9-40 as follows:

11 (10 ILCS 5/Art. 9 heading)

12 ARTICLE 9. DISCLOSURE AND REGULATION OF CAMPAIGN
13 CONTRIBUTIONS AND EXPENDITURES

14 (10 ILCS 5/9-1.4) (from Ch. 46, par. 9-1.4)

15 Sec. 9-1.4. Contribution.

1 (A) "Contribution" means:-

2 (1) a gift, subscription, donation, dues, loan, advance, ~~or~~
3 deposit of money, or anything of value, knowingly received in
4 connection with the nomination for election, ~~or~~ election, or
5 retention of any candidate or person to or in public office, ~~in~~
6 ~~connection with the election of any person as ward or township~~
7 ~~committeeman in counties of 3,000,000 or more population,~~ or in
8 connection with any question of public policy;

9 (1.5) a gift, subscription, donation, dues, loan, advance,
10 deposit of money, or anything of value that constitutes an
11 electioneering communication ~~regardless of whether the~~
12 ~~communication is~~ made in concert or cooperation with or at the
13 request, suggestion, or knowledge of a candidate, a ~~candidate's~~
14 ~~authorized local~~ political committee, a ~~State political~~
15 ~~committee, a political committee in support of or opposition to~~
16 ~~a question of public policy,~~ or any of their agents;

17 (2) the purchase of tickets for fund-raising events,
18 including but not limited to dinners, luncheons, cocktail
19 parties, and rallies made in connection with the nomination for
20 election, ~~or~~ election, or retention of any person in or to
21 public office, ~~in connection with the election of any person as~~
22 ~~ward or township committeeman in counties of 3,000,000 or more~~
23 ~~population,~~ or in connection with any question of public
24 policy;

25 (3) a transfer of funds received by a political committee
26 from another ~~between~~ political committee ~~committees;~~ and

1 (4) the services of an employee donated by an employer, in
2 which case the contribution shall be listed in the name of the
3 employer, except that any individual services provided
4 voluntarily and without promise or expectation of compensation
5 from any source shall not be deemed a contribution; ~~and but~~

6 (5) an expenditure by a political committee made in
7 cooperation, consultation, or concert with another political
8 committee.

9 (B) "Contribution" does not include:--

10 (a) the use of real or personal property and the
11 cost of invitations, food, and beverages, voluntarily
12 provided by an individual in rendering voluntary
13 personal services on the individual's residential
14 premises for candidate-related activities; provided
15 the value of the service provided does not exceed an
16 aggregate of \$150 in a reporting period;

17 (b) the sale of any food or beverage by a vendor
18 for use in a candidate's campaign at a charge less than
19 the normal comparable charge, if such charge for use in
20 a candidate's campaign is at least equal to the cost of
21 such food or beverage to the vendor; ~~:-~~

22 (c) communications by a corporation to its
23 stockholders and executive or administrative personnel
24 or their families;

25 (d) communications by an association to its
26 members and executive or administrative personnel or

1 their families;

2 (e) voter registration or other campaigns
3 encouraging voting that make no mention of any clearly
4 identified candidate, public question, political
5 party, group, or combination thereof;

6 (f) a loan of money by a national or State bank or
7 credit union made in accordance with the applicable
8 banking laws and regulations and in the ordinary course
9 of business, but the loan shall be listed on disclosure
10 reports required by this Article; however, the use,
11 ownership, or control of any security for such a loan,
12 if provided by a person other than the candidate or his
13 or her committee, qualifies as a contribution; or

14 (g) an independent expenditure.

15 (C) Interest or other investment income, earnings or
16 proceeds, and refunds or returns of all or part of a
17 committee's previous expenditures shall not be considered
18 contributions but shall be listed on disclosure reports
19 required by this Article.

20 (Source: P.A. 94-645, eff. 8-22-05.)

21 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

22 Sec. 9-1.5. Expenditure ~~defined~~.

23 (A) "Expenditure" means:-

24 (1) a payment, distribution, purchase, loan, advance,
25 deposit, ~~or~~ gift of money, or anything of value, in

1 connection with the nomination for election, ~~or~~ election,
2 or retention of any person to or in public office, ~~in~~
3 ~~connection with the election of any person as ward or~~
4 ~~township committeeman in counties of 3,000,000 or more~~
5 ~~population,~~ or in connection with any question of public
6 policy; ~~:-~~

7 (2) ~~"Expenditure"~~ also includes a payment,
8 distribution, purchase, loan, advance, deposit, ~~or~~ gift of
9 money, or anything of value that constitutes an
10 electioneering communication ~~regardless of whether the~~
11 ~~communication is~~ made in concert or cooperation with or at
12 the request, suggestion, or knowledge of a candidate, a
13 ~~candidate's authorized local~~ political committee, ~~a State~~
14 ~~political committee, a political committee in support of or~~
15 ~~opposition to a question of public policy,~~ or any of their
16 agents; or. ~~However,~~

17 (3) a transfer of funds by a political committee to
18 another political committee.

19 (B) "Expenditure" ~~expenditure~~ does not include: -

20 (a) the use of real or personal property and the cost
21 of invitations, food, and beverages, voluntarily provided
22 by an individual in rendering voluntary personal services
23 on the individual's residential premises for
24 candidate-related activities; provided the value of the
25 service provided does not exceed an aggregate of \$150 in a
26 reporting period; or

1 (b) the sale of any food or beverage by a vendor for
2 use in a candidate's campaign at a charge less than the
3 normal comparable charge, if such charge for use in a
4 candidate's campaign is at least equal to the cost of such
5 food or beverage to the vendor.

6 ~~(2) a transfer of funds between political committees.~~

7 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
8 93-847, eff. 7-30-04.)

9 (10 ILCS 5/9-1.6) (from Ch. 46, par. 9-1.6)

10 Sec. 9-1.6. Person. "Person" or "whoever" means a natural
11 person ~~an individual~~, trust, partnership, committee,
12 association, corporation, or any other organization or group of
13 persons.

14 (Source: P.A. 78-1183.)

15 (10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

16 Sec. 9-1.8. Political committees.

17 (a) "Political committee" includes a candidate political
18 committee, a political party committee, a political action
19 committee, and a ballot initiative committee.

20 (b) "Candidate political committee" means the candidate
21 himself or herself or any natural person, trust, partnership,
22 corporation, or other organization or group of persons
23 designated by the candidate that accepts contributions or makes
24 expenditures during any 12-month period in an aggregate amount

1 exceeding \$3,000 on behalf of the candidate.

2 (c) "Political party committee" means the State central
3 committee of a political party, a county central committee of a
4 political party, a legislative caucus committee, or a committee
5 formed by a ward or township committeeman of a political party.
6 For purposes of this Article, a "legislative caucus committee"
7 means a committee established for the purpose of electing
8 candidates to the General Assembly by the person elected
9 President of the Senate, Minority Leader of the Senate, Speaker
10 of the House of Representatives, Minority Leader of the House
11 of Representatives, or a committee established by 5 or more
12 members of the same caucus of the Senate or 10 or more members
13 of the same caucus of the House of Representatives.

14 (d) "Political action committee" means any natural person,
15 trust, partnership, committee, association, corporation, or
16 other organization or group of persons, other than a candidate,
17 political party, candidate political committee, or political
18 party committee, that accepts contributions or makes
19 expenditures during any 12-month period in an aggregate amount
20 exceeding \$3,000 on behalf of or in opposition to a candidate
21 or candidates for public office. "Political action committee"
22 includes any natural person, trust, partnership, committee,
23 association, corporation, or other organization or group of
24 persons, other than a candidate, political party, candidate
25 political committee, or political party committee, that makes
26 electioneering communications during any 12-month period in an

1 aggregate amount exceeding \$3,000 related to any candidate or
2 candidates for public office.

3 (e) "Ballot initiative committee" means any natural
4 person, trust, partnership, committee, association,
5 corporation, or other organization or group of persons that
6 accepts contributions or makes expenditures during any
7 12-month period in an aggregate amount exceeding \$3,000 in
8 support of or in opposition to any question of public policy to
9 be submitted to the electors. "Ballot initiative committee"
10 includes any natural person, trust, partnership, committee,
11 association, corporation, or other organization or group of
12 persons that makes electioneering communications during any
13 12-month period in an aggregate amount exceeding \$3,000 related
14 to any question of public policy to be submitted to the voters.
15 The \$3,000 threshold applies to any contributions or
16 expenditures received or made with the purpose of securing a
17 place on the ballot for, advocating the defeat or passage of,
18 or engaging in electioneering communication regarding the
19 question of public policy, regardless of the method of
20 initiation of the question of public policy and regardless of
21 whether petitions have been circulated or filed with the
22 appropriate office or whether the question has been adopted and
23 certified by the governing body.

24 ~~"State political committee" means the candidate himself or any~~
25 ~~individual, trust, partnership, committee, association,~~
26 ~~corporation, or any other organization or group of persons~~

1 ~~which~~

2 ~~(a) accepts contributions or grants or makes expenditures~~
3 ~~during any 12-month period in an aggregate amount exceeding~~
4 ~~\$3,000 on behalf of or in opposition to a candidate or~~
5 ~~candidates for public office who are required by the Illinois~~
6 ~~Governmental Ethics Act to file statements of economic~~
7 ~~interests with the Secretary of State,~~

8 ~~(b) accepts contributions or makes expenditures during any~~
9 ~~12-month period in an aggregate amount exceeding \$3,000 in~~
10 ~~support of or in opposition to any question of public policy to~~
11 ~~be submitted to the electors of an area encompassing more than~~
12 ~~one county. The \$3,000 threshold established in this paragraph~~

13 ~~(b) applies to any receipts or expenditures received or made~~
14 ~~with the purpose of securing a place on the ballot for,~~
15 ~~advocating the defeat or passage of, or engaging in~~
16 ~~electioneering communication regarding the question of public~~
17 ~~policy regardless of the method of initiation of the question~~
18 ~~of public policy and regardless of whether petitions have been~~
19 ~~circulated or filed with the appropriate office or whether the~~
20 ~~question has been adopted and certified by the governing body,~~

21 ~~(c) accepts contributions or makes expenditures during any~~
22 ~~12-month period in an aggregate amount exceeding \$3,000 and has~~
23 ~~as its primary purpose the furtherance of governmental,~~
24 ~~political or social values, is organized on a not-for-profit~~
25 ~~basis, and which publicly endorses or publicly opposes a~~
26 ~~candidate or candidates for public office who are required by~~

1 ~~the Illinois Governmental Ethics Act to file statements of~~
2 ~~economic interest with the Secretary of State, or~~

3 ~~(d) accepts contributions or makes expenditures during any~~
4 ~~12-month period in an aggregate amount exceeding \$3,000 for~~
5 ~~electioneering communications relating to any candidate or~~
6 ~~candidates described in paragraph (a) or any question of public~~
7 ~~policy described in paragraph (b).~~

8 (Source: P.A. 95-963, eff. 1-1-09.)

9 (10 ILCS 5/9-1.9) (from Ch. 46, par. 9-1.9)

10 Sec. 9-1.9. Election cycle. "Election cycle" means any of
11 the following:

12 (1) For a candidate political committee organized to
13 support a candidate to be elected at a general primary election
14 or general election, (i) the period beginning January 1
15 following the general election for the office to which a
16 candidate seeks nomination or election and ending on the day of
17 the general primary election for that office or (ii) the period
18 beginning the day after a general primary election for the
19 office to which the candidate seeks nomination or election and
20 through December 31 following the general election.

21 (2) Notwithstanding paragraph (1), for a candidate
22 political committee organized to support a candidate for the
23 General Assembly, (i) the period beginning January 1 following
24 a general election and ending on the day of the next general
25 primary election or (ii) the period beginning the day after the

1 general primary election and ending on December 31 following a
2 general election.

3 (3) For a candidate political committee organized to
4 support a candidate for a retention election, (i) the period
5 beginning January 1 following the general election at which the
6 candidate was elected through the day the candidate files a
7 declaration of intent to seek retention or (ii) the period
8 beginning the day after the candidate files a declaration of
9 intent to seek retention through December 31 following the
10 retention election.

11 (4) For a candidate political committee organized to
12 support a candidate to be elected at a consolidated primary
13 election or consolidated election, (i) the period beginning
14 July 1 following a consolidated election and ending on the day
15 of the consolidated primary election or (ii) the period
16 beginning the day after the consolidated primary election and
17 ending on June 30 following a consolidated election.

18 (5) For a political party committee, political action
19 committee, or ballot initiative committee, the period
20 beginning on January 1 and ending on December 31 of each
21 calendar year. "Political committee" includes State central
22 and county central committees of any political party, and also
23 includes local political committees and state political
24 committees, but does not include any candidate who does not
25 accept contributions or make expenditures during any 12 month
26 period in an aggregate amount exceeding \$3,000, nor does it

1 ~~include, with the exception of State central and county central~~
2 ~~committees of any political party, any individual, trust,~~
3 ~~partnership, committee, association, corporation, or any other~~
4 ~~organization or group of persons which does not (i) accept~~
5 ~~contributions or make expenditures during any 12 month period~~
6 ~~in an aggregate amount exceeding \$3,000 on behalf of or in~~
7 ~~opposition to a candidate or candidates or to any question of~~
8 ~~public policy or (ii) accept contributions or make expenditures~~
9 ~~during any 12 month period in an aggregate amount exceeding~~
10 ~~\$3,000 for electioneering communications relating to any~~
11 ~~candidate or candidates described in paragraph (a) of Section~~
12 ~~9-1.7 or 9-1.8 or any question of public policy described in~~
13 ~~paragraph (b) of Section 9-1.7 or 9-1.8, and such candidates~~
14 ~~and persons shall not be required to comply with any filing~~
15 ~~provisions in this Article.~~

16 (Source: P.A. 93-847, eff. 7-30-04.)

17 (10 ILCS 5/9-1.10) (from Ch. 46, par. 9-1.10)

18 Sec. 9-1.10. Public Office. "Public office" means any
19 elective office or judicial office subject to retention for
20 ~~which candidates are required to file statements of economic~~
21 ~~interests under the "Illinois Governmental Ethics Act",~~
22 ~~approved August 26, 1967, as amended.~~

23 (Source: P.A. 78-1183.)

24 (10 ILCS 5/9-1.12) (from Ch. 46, par. 9-1.12)

1 Sec. 9-1.12. Anything of value. "Anything of value" means
2 any item, thing, service ~~includes all things, services, or good~~
3 ~~goods~~, regardless of whether ~~it~~ they may be valued in monetary
4 terms according to ascertainable market value. Anything of
5 value which does not have an ascertainable market value must be
6 reported by describing the item, thing, service ~~services~~, or
7 good goods contributed and by using the contributor's certified
8 market value required under Section 9-6.

9 (Source: P.A. 90-737, eff. 1-1-99.)

10 (10 ILCS 5/9-1.13) (from Ch. 46, par. 9-1.13)

11 Sec. 9-1.13. Transfer of funds. "Transfer of funds" means
12 any conveyance of money ~~or the purchase of tickets made in~~
13 ~~connection with the nomination for election, election or~~
14 ~~retention of any person to or in public office or in connection~~
15 ~~with any question of public policy~~ from one political committee
16 to another political committee.

17 (Source: P.A. 86-873.)

18 (10 ILCS 5/9-1.14)

19 Sec. 9-1.14. Electioneering communication ~~defined.~~

20 (a) "Electioneering communication" means, for the purposes
21 of this Article, any broadcast, cable, or satellite ~~form of~~
22 communication, ~~in whatever medium, including but not limited to~~
23 ~~a newspaper~~, radio, television, or Internet communication,
24 that (1) refers to (i) a clearly identified candidate or

1 candidates who will appear on the ballot for nomination for
2 election, election, or retention, (ii) ~~refers to~~ a clearly
3 identified political party, or (iii) ~~refers to~~ a clearly
4 identified question of public policy that will appear on the
5 ballot, ~~and~~ (2) is made within (i) 60 days before a general
6 election or consolidated election or (ii) 30 days before a
7 primary election, (3) is targeted to the relevant electorate,
8 and (4) is susceptible to no reasonable interpretation other
9 than as an appeal to vote for or against a clearly identified
10 candidate for nomination for election, election, or retention,
11 a political party, or a question of public policy.

12 (b) "Electioneering communication" does not include:

13 (1) A communication, other than an advertisement,
14 appearing in a news story, commentary, or editorial
15 distributed through the facilities of any legitimate news
16 organization, unless the facilities are owned or
17 controlled by any political party, political committee, or
18 candidate.

19 (2) A communication made solely to promote a candidate
20 debate or forum that is made by or on behalf of the person
21 sponsoring the debate or forum.

22 (3) A communication made as part of a non-partisan
23 activity designed to encourage individuals to vote or to
24 register to vote.

25 (4) A communication by an organization operating and
26 remaining in good standing under Section 501(c)(3) of the

1 Internal Revenue Code of 1986.

2 (5) A communication exclusively between a labor
3 organization, as defined under federal or State law, and
4 its members.

5 (6) A communication exclusively between an
6 organization formed under Section 501(c)(6) of the
7 Internal Revenue Code and its members.

8 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
9 93-847, eff. 7-30-04; 94-461, eff. 8-4-05; 94-645, eff.
10 8-22-05.)

11 (10 ILCS 5/9-1.15 new)

12 Sec. 9-1.15. Independent expenditure. "Independent
13 expenditure" means any payment, gift, donation, or expenditure
14 of funds (i) by a natural person or political committee for the
15 purpose of making electioneering communications or of
16 expressly advocating for or against the nomination for
17 election, election, retention, or defeat of a clearly
18 identifiable public official or candidate and (ii) that is not
19 made in connection, consultation, or concert with or at the
20 request or suggestion of the public official or candidate, the
21 public official's or candidate's designated political
22 committee or campaign, or the agent or agents of the public
23 official, candidate, or political committee or campaign.

24 (10 ILCS 5/9-2) (from Ch. 46, par. 9-2)

1 Sec. 9-2. Political committee designations.

2 (a) Every political committee shall be designated as a (i)
3 candidate political committee, (ii) political party committee,
4 (iii) political action committee, or (iv) ballot initiative
5 committee.

6 (b) Beginning January 1, 2011, no public official or
7 candidate for public office may maintain or establish more than
8 one candidate political committee for each office that public
9 official or candidate holds or is seeking. The name of each
10 candidate political committee shall identify the name of the
11 public official or candidate supported by the candidate
12 political committee. If a candidate establishes separate
13 candidate political committees for each public office, the name
14 of each candidate political committee shall also include the
15 public office to which the candidate seeks nomination for
16 election, election, or retention. If a candidate establishes
17 one candidate political committee for multiple offices elected
18 at different elections, then the candidate shall designate an
19 election cycle, as defined in Section 9-1.9, for purposes of
20 contribution limitations and reporting requirements set forth
21 in this Article. No political committee, other than a candidate
22 political committee, may include the name of a candidate in its
23 name.

24 (c) Beginning January 1, 2011, no State central committee
25 of a political party, county central committee of a political
26 party, committee formed by a ward or township committeeman, or

1 committee established for the purpose of electing candidates to
2 the General Assembly may maintain or establish more than one
3 political party committee. The name of the committee must
4 include the name of the political party.

5 (d) Beginning January 1, 2011, no natural person, trust,
6 partnership, committee, association, corporation, or other
7 organization or group of persons forming a political action
8 committee shall maintain or establish more than one political
9 action committee. The name of a political action committee must
10 include the name of the entity forming the committee.

11 (e) Beginning January 1, 2011, the name of a ballot
12 initiative committee must include words describing the
13 question of public policy and whether the group supports or
14 opposes the question.

15 (f) Every political committee shall designate a chairman
16 and a treasurer. The same person may serve as both chairman and
17 treasurer of any political committee. A candidate who
18 administers his own campaign contributions and expenditures
19 shall be deemed a political committee for purposes of this
20 Article and shall designate himself as chairman, treasurer, or
21 both chairman and treasurer of such political committee. The
22 treasurer of a political committee shall be responsible for
23 keeping the records and filing the statements and reports
24 required by this Article.

25 (g) No contribution and no expenditure shall be accepted or
26 made by or on behalf of a political committee at a time when

1 there is a vacancy in the office of chairman or treasurer
2 thereof. No expenditure shall be made for or on behalf of a
3 political committee without the authorization of its chairman
4 or treasurer, or their designated agents.

5 (h) For purposes of implementing the changes made by this
6 amendatory Act of the 96th General Assembly, every political
7 committee in existence on the effective date of this amendatory
8 Act of the 96th General Assembly shall make the designation
9 required by this Section by December 31, 2010.

10 (Source: P.A. 80-756.)

11 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

12 Sec. 9-3. Political committee statement of organization.

13 (a) Every ~~state~~ political committee ~~and every local~~
14 ~~political committee~~ shall file with the State Board of
15 Elections, ~~and every local political committee shall file with~~
16 ~~the county clerk,~~ a statement of organization within 10
17 business days of the creation of such committee, except any
18 political committee created within the 30 days before an
19 election shall file a statement of organization within 2 5
20 business days in person, by facsimile transmission, or by
21 electronic mail. Any change in information previously
22 submitted in a statement of organization shall be reported, as
23 required for the original statement of organization by this
24 Section, within 10 days following that change. A political
25 committee that acts as both a state political committee and a

1 local political committee shall file a copy of each statement
2 of organization with the State Board of Elections and the
3 county clerk. The Board shall impose a civil penalty of \$50 ~~\$25~~
4 per business day upon political committees for failing to file
5 or late filing of a statement of organization, ~~except that for~~
6 ~~committees formed to support candidates for statewide office,~~
7 ~~the civil penalty shall be \$50 per business day.~~ Such penalties
8 shall not exceed \$5,000, and shall not exceed \$10,000 for
9 statewide office political committees. There shall be no fine
10 if the statement is mailed and postmarked at least 72 hours
11 prior to the filing deadline.

12 In addition to the civil penalties authorized by this
13 Section, the State Board of Elections or any other ~~affected~~
14 political committee may apply to the circuit court for a
15 temporary restraining order or a preliminary or permanent
16 injunction against the political committee to cease the
17 expenditure of funds and to cease operations until the
18 statement of organization is filed.

19 For the purpose of this Section, "statewide office" means
20 the Governor, Lieutenant Governor, Secretary of State,
21 Attorney General, State Treasurer, and State Comptroller.

22 (b) The statement of organization shall include: -

23 (1) ~~(a)~~ the name and address of the political committee
24 and the designation required by Section 9-2 ~~(the name of~~
25 ~~the political committee must include the name of any~~
26 ~~sponsoring entity);~~

1 (2) ~~(b)~~ the scope, area of activity, party affiliation,
2 ~~candidate affiliation and his county of residence,~~ and
3 purposes of the political committee;

4 (3) ~~(c)~~ the name, address, and position of each
5 custodian of the committee's books and accounts;

6 (4) ~~(d)~~ the name, address, and position of the
7 committee's principal officers, including the chairman,
8 treasurer, and officers and members of its finance
9 committee, if any;

10 (5) the name and address of any sponsoring entity ~~(e)~~
11 ~~(Blank);~~

12 (6) ~~(f)~~ a statement of what specific disposition of
13 residual fund will be made in the event of the dissolution
14 or termination of the committee;

15 (7) ~~(g)~~ a listing of all banks or other financial
16 institutions, safety deposit boxes, and any other
17 repositories or custodians of funds used by the committee;
18 and

19 (8) ~~(h)~~ the amount of funds available for campaign
20 expenditures as of the filing date of the committee's
21 statement of organization.

22 For purposes of this Section, a "sponsoring entity" is (i)
23 any person, ~~political committee,~~ organization, corporation, or
24 association that contributes at least 33% of the total funding
25 of the political committee or (ii) any person or other entity
26 that is registered or is required to register under the

1 Lobbyist Registration Act and contributes at least 33% of the
2 total funding of the political committee; ~~except that a~~
3 ~~political committee is not a "sponsoring entity" for purposes~~
4 ~~of this Section if it is a political committee organized by (i)~~
5 ~~an established political party as defined in Section 10-2, (ii)~~
6 ~~a partisan caucus of either house of the General Assembly, or~~
7 ~~(iii) the Speaker or Minority Leader of the House of~~
8 ~~Representatives or the President or Minority Leader of the~~
9 ~~Senate, in his or her capacity as a legislative leader of the~~
10 ~~House of Representatives or Senate and not as a candidate for~~
11 ~~Representative or Senator.~~

12 (c) Each statement of organization required to be filed in
13 accordance with this Section shall be verified, dated, and
14 signed by either the treasurer of the political committee
15 making the statement or the candidate on whose behalf the
16 statement is made and shall contain substantially the following
17 verification:

18 "VERIFICATION:

19 I declare that this statement of organization (including
20 any accompanying schedules and statements) has been examined by
21 me and, to the best of my knowledge and belief, is a true,
22 correct, and complete statement of organization as required by
23 Article 9 of the Election Code. I understand that willfully
24 filing a false or incomplete statement is subject to a civil
25 penalty of at least \$1,001 and up to \$5,000.

26

1 (date of filing) (signature of person making the statement)".

2 (d) The statement of organization for a ballot initiative
3 committee also shall include a verification signed by the
4 chairperson of the committee that (i) the committee is formed
5 for the purpose of supporting or opposing a question of public
6 policy, (ii) all contributions and expenditures of the
7 committee will be used for the purpose described in the
8 statement of organization, (iii) the committee may accept
9 unlimited contributions from any source, provided that the
10 ballot initiative committee does not make contributions or
11 expenditures in support of or opposition to a candidate or
12 candidates for nomination for election, election, or
13 retention, and (iv) failure to abide by these requirements
14 shall deem the committee in violation of this Article.

15 (e) For purposes of implementing the changes made by this
16 amendatory Act of the 96th General Assembly, every political
17 committee in existence on the effective date of this amendatory
18 Act of the 96th General Assembly shall file the statement
19 required by this Section with the Board by December 31, 2010.

20 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
21 94-645, eff. 8-22-05.)

22 (10 ILCS 5/9-5) (from Ch. 46, par. 9-5)

23 Sec. 9-5. Dissolved or inactive committee. ~~Any change in~~
24 ~~information previously submitted in a statement of~~
25 ~~organization except for information submitted under Section~~

1 ~~9-3 (h) shall be reported, as required of statements of~~
2 ~~organization by Section 9-3 of this Article, within 10 days~~
3 ~~following such change.~~

4 Any political committee which, after having filed a
5 statement of organization, dissolves as a political committee
6 or determines that it will no longer receive any campaign
7 contributions nor make any campaign expenditures shall notify
8 the Board, ~~or the Board and the county clerk, as required of~~
9 ~~statements of organization by Section 9-3 of this Article,~~ of
10 that fact and file with the Board, ~~or the Board and the county~~
11 ~~clerk, as required of statements of organization by Section 9-3~~
12 ~~of this Article,~~ a final report with respect to its
13 contributions and expenditures, including the final
14 disposition of its funds and assets.

15 In the event that a political committee dissolves, all
16 contributions in its possession, after payment of the
17 committee's outstanding liabilities, including staff salaries,
18 shall be refunded to the contributors in amounts not exceeding
19 their individual contributions, or transferred to other
20 political or charitable organizations consistent with the
21 positions of the committee or the candidates it represented. In
22 no case shall these funds be used for the personal
23 aggrandizement of any committee member or campaign worker.

24 (Source: P.A. 90-495, eff. 1-1-98.)

1 Sec. 9-6. Accounting for contributions.

2 (a) ~~A Every~~ person who collects or accepts ~~receives~~ a
3 contribution ~~in excess of \$20~~ for a political committee shall,
4 ~~on demand of the treasurer, and in any event~~ within 5 days
5 after receipt of such contribution, submit ~~render~~ to the
6 treasurer a detailed account of the contribution ~~thereof~~,
7 including (i) the amount, (ii) the name and address of the
8 person making such contribution, (iii) ~~and~~ the date on which
9 the contribution ~~it~~ was received, and (iv) the name and address
10 of the person collecting or accepting the contribution for the
11 political committee. A political committee shall disclose on
12 the quarterly statement the name, address, and occupation of
13 any person who collects or accepts contributions from at least
14 5 persons in the aggregate of \$3,000 or more outside of the
15 presence of a candidate or not in connection with a fundraising
16 event sanctioned or coordinated by the political committee
17 during a reporting period. This subsection does not apply to a
18 person who is an officer of the committee, a compensated
19 employee, a person authorized by an officer or the candidate of
20 a committee to accept contributions on behalf of the committee,
21 or an entity used for processing financial transactions by
22 credit card or other means.

23 (b) Within 5 business days of contributing goods or
24 services ~~of more than \$50 value~~ to a political committee, the
25 contributor shall submit to the treasurer a detailed account of
26 the contribution, including (i) the name and address of the

1 ~~person making the contribution, (ii) certify the value of the~~
2 ~~contribution to the political committee on forms prescribed by~~
3 ~~the State Board of Elections. The forms shall include the name~~
4 ~~and address of the contributor,~~ a description and market value
5 of the goods or services, and (iii) the date on which the
6 contribution was made.

7 (c) All funds of a political committee shall be segregated
8 from, and may not be commingled with, any personal funds of
9 officers, members, or associates of such committee.

10 (Source: P.A. 90-737, eff. 1-1-99.)

11 (10 ILCS 5/9-7) (from Ch. 46, par. 9-7)

12 Sec. 9-7. The treasurer of a political committee shall keep
13 a detailed and exact account of-

14 (a) the total of all contributions made to or for the
15 committee;

16 (b) the full name and mailing address of every person
17 making a contribution ~~in excess of \$20~~ and the date and amount
18 thereof;

19 (c) the total of all expenditures made by or on behalf of
20 the committee;

21 (d) the full name and mailing address of every person to
22 whom any expenditure ~~in excess of \$20~~ is made, and the date and
23 amount thereof;

24 (e) proof of payment, stating the particulars, for every
25 expenditure ~~in excess of \$20~~ made by or on behalf of the

1 committee.

2 The treasurer shall preserve all records and accounts
3 required by this section for a period of 2 years.

4 (Source: P.A. 79-293.)

5 (10 ILCS 5/9-8) (from Ch. 46, par. 9-8)

6 Sec. 9-8. Any political committee which solicits or
7 receives contributions or makes expenditures on behalf of any
8 candidate that is not authorized in writing by such candidate
9 to do so shall include a notice on the face or front page of all
10 literature and advertisements published and following all
11 commercials broadcast, that are authorized by the committee and
12 that mention the candidate, in connection with such candidate's
13 campaign by such committee or on its behalf stating that the
14 committee is not authorized by such candidate and that such
15 candidate is not responsible for the activities of such
16 committee.

17 (Source: P.A. 78-1183.)

18 (10 ILCS 5/9-8.5 new)

19 Sec. 9-8.5. Limitations on campaign contributions.

20 (a) It is unlawful for a political committee to accept
21 contributions except as provided in this Section.

22 (b) During an election cycle, a candidate political
23 committee may not accept contributions with an aggregate value
24 over the following: (i) \$5,000 from any individual, (ii)

1 \$10,000 from any corporation, labor organization, or
2 association, or (iii) \$50,000 from a candidate political
3 committee or political action committee. A candidate political
4 committee may accept contributions in any amount from a
5 political party committee except during an election cycle in
6 which the candidate seeks nomination at a primary election.
7 During an election cycle in which the candidate seeks
8 nomination at a primary election, a candidate political
9 committee may not accept contributions from political party
10 committees with an aggregate value over the following: (i)
11 \$200,000 for a candidate political committee established to
12 support a candidate seeking nomination to statewide office,
13 (ii) \$125,000 for a candidate political committee established
14 to support a candidate seeking nomination to the Senate, the
15 Supreme Court or Appellate Court in the First Judicial
16 District, or an office elected by all voters in a county with
17 1,000,000 or more residents, (iii) \$75,000 for a candidate
18 political committee established to support a candidate seeking
19 nomination to the House of Representatives, the Supreme Court
20 or Appellate Court for a Judicial District other than the First
21 Judicial District, an office elected by all voters of a county
22 of fewer than 1,000,000 residents, and municipal and county
23 offices in Cook County other than those elected by all voters
24 of Cook County, and (iv) \$50,000 for a candidate political
25 committee established to support the nomination of a candidate
26 to any other office. A candidate political committee

1 established to elect a candidate to the General Assembly may
2 accept contributions from only one legislative caucus
3 committee. A candidate political committee may not accept
4 contributions from a ballot initiative committee.

5 (c) During an election cycle, a political party committee
6 may not accept contributions with an aggregate value over the
7 following: (i) \$10,000 from any individual, (ii) \$20,000 from
8 any corporation, labor organization, or association, or (iii)
9 \$50,000 from a political action committee. A political party
10 committee may accept contributions in any amount from another
11 political party committee or a candidate political committee,
12 except as provided in subsection (c-5). Nothing in this Section
13 shall limit the amounts that may be transferred between a State
14 political committee and federal political committee. A
15 political party committee may not accept contributions from a
16 ballot initiative committee. A political party committee
17 established by a legislative caucus may not accept
18 contributions from another political party committee
19 established by a legislative caucus.

20 (c-5) During the period beginning on the date candidates
21 may begin circulating petitions for a primary election and
22 ending on the day of the primary election, a political party
23 committee may not accept contributions with an aggregate value
24 over \$50,000 from a candidate political committee or political
25 party committee. A political party committee may accept
26 contributions in any amount from a candidate political

1 committee or political party committee if the political party
2 committee receiving the contribution filed a statement of
3 nonparticipation in the primary as provided in subsection
4 (c-10). The Task Force on Campaign Finance Reform shall study
5 and make recommendations on the provisions of this subsection
6 to the Governor and General Assembly by September 30, 2012.
7 This subsection becomes inoperative on July 1, 2013 and
8 thereafter no longer applies.

9 (c-10) A political party committee that does not intend to
10 make contributions to candidates to be nominated at a general
11 primary election or consolidated primary election may file a
12 Statement of Nonparticipation in a Primary Election with the
13 Board. The Statement of Nonparticipation shall include a
14 verification signed by the chairperson and treasurer of the
15 committee that (i) the committee will not make contributions or
16 coordinated expenditures in support of or opposition to a
17 candidate or candidates to be nominated at the general primary
18 election or consolidated primary election (select one) to be
19 held on (insert date), (ii) the political party committee may
20 accept unlimited contributions from candidate political
21 committees and political party committees, provided that the
22 political party committee does not make contributions to a
23 candidate or candidates to be nominated at the primary
24 election, and (iii) failure to abide by these requirements
25 shall deem the political party committee in violation of this
26 Article and subject the committee to a fine of no more than

1 150% of the total contributions or coordinated expenditures
2 made by the committee in violation of this Article. This
3 subsection becomes inoperative on July 1, 2013 and thereafter
4 no longer applies.

5 (d) During an election cycle, a political action committee
6 may not accept contributions with an aggregate value over the
7 following: (i) \$10,000 from any individual, (ii) \$20,000 from
8 any corporation, labor organization, political party
9 committee, or association, or (iii) \$50,000 from a political
10 action committee or candidate political committee. A political
11 action committee may not accept contributions from a ballot
12 initiative committee.

13 (e) A ballot initiative committee may accept contributions
14 in any amount from any source, provided that the committee
15 files the document required by Section 9-3 of this Article.

16 (f) Nothing in this Section shall prohibit a political
17 committee from dividing the proceeds of joint fundraising
18 efforts; provided that no political committee may receive more
19 than the limit from any one contributor.

20 (g) On January 1 of each odd-numbered year, the State Board
21 of Elections shall adjust the amounts of the contribution
22 limitations established in this Section for inflation as
23 determined by the Consumer Price Index for All Urban Consumers
24 as issued by the United States Department of Labor and rounded
25 to the nearest \$100. The State Board shall publish this
26 information on its official website.

1 (h) Self-funding candidates. If a public official, a
2 candidate, or the public official's or candidate's immediate
3 family contributes or loans to the public official's or
4 candidate's political committee or to other political
5 committees that transfer funds to the public official's or
6 candidate's political committee or makes independent
7 expenditures for the benefit of the public official's or
8 candidate's campaign during the 12 months prior to an election
9 in an aggregate amount of more than (i) \$250,000 for statewide
10 office or (ii) \$100,000 for all other elective offices, then
11 the public official or candidate shall file with the State
12 Board of Elections, within one day, a Notification of
13 Self-funding that shall detail each contribution or loan made
14 by the public official, the candidate, or the public official's
15 or candidate's immediate family. Within 2 business days after
16 the filing of a Notification of Self-funding, the notification
17 shall be posted on the Board's website and the Board shall give
18 official notice of the filing to each candidate for the same
19 office as the public official or candidate making the filing,
20 including the public official or candidate filing the
21 Notification of Self-funding. Upon receiving notice from the
22 Board, all candidates for that office, including the public
23 official or candidate who filed a Notification of Self-funding,
24 shall be permitted to accept contributions in excess of any
25 contribution limits imposed by subsection (b). For the purposes
26 of this subsection, "immediate family" means the spouse,

1 parent, or child of a public official or candidate.

2 (i) For the purposes of this Section, a corporation, labor
3 organization, association, or a political action committee
4 established by a corporation, labor organization, or
5 association may act as a conduit in facilitating the delivery
6 to a political action committee of contributions made through
7 dues, levies, or similar assessments and the political action
8 committee may report the contributions in the aggregate,
9 provided that: (i) the dues, levies, or similar assessments
10 paid by any natural person, corporation, labor organization, or
11 association in a calendar year may not exceed the limits set
12 forth in this Section and (ii) the corporation, labor
13 organization, association, or a political action committee
14 established by a corporation, labor organization, or
15 association facilitating the delivery of contributions
16 maintains a list of natural persons, corporations, labor
17 organizations, and associations that paid the dues, levies, or
18 similar assessments from which the contributions comprising
19 the aggregate amount derive. A political action committee
20 facilitating the delivery of contributions or receiving
21 contributions shall disclose the amount of dues delivered or
22 received and the name of the corporation, labor organization,
23 association, or political action committee delivering the
24 contributions, if applicable.

25 (j) A political committee that receives a contribution or
26 transfer in violation of this Section shall dispose of the

1 contribution or transfer by returning the contribution or
2 transfer, or an amount equal to the contribution or transfer,
3 to the contributor or transferor or donating the contribution
4 or transfer, or an amount equal to the contribution or
5 transfer, to a charity. A contribution or transfer received in
6 violation of this Section that is not disposed of as provided
7 in this subsection within 15 days after its receipt shall
8 escheat to the General Revenue Fund and the political committee
9 shall be deemed in violation of this Section and subject to a
10 civil penalty not to exceed 150% of the total amount of the
11 contribution.

12 (k) For the purposes of this Section, "statewide office"
13 means the Governor, Lieutenant Governor, Attorney General,
14 Secretary of State, Comptroller, and Treasurer.

15 (l) This Section is repealed if and when the United States
16 Supreme Court invalidates contribution limits on committees
17 formed to assist candidates, political parties, corporations,
18 associations, or labor organizations established by or
19 pursuant to federal law.

20 (10 ILCS 5/9-8.6 new)

21 Sec. 9-8.6. Independent expenditures.

22 (a) An independent expenditure is not considered a
23 contribution to a political committee. An expenditure made by a
24 natural person or political committee for an electioneering
25 communication in connection, consultation, or concert with or

1 at the request or suggestion of the public official or
2 candidate, the public official's or candidate's candidate
3 political committee, or the agent or agents of the public
4 official, candidate, or political committee or campaign shall
5 not be considered an independent expenditure but rather shall
6 be considered a contribution to the public official's or
7 candidate's candidate political committee.

8 A natural person who makes an independent expenditure
9 supporting or opposing a public official or candidate that,
10 alone or in combination with any other independent expenditure
11 made by that natural person supporting or opposing that public
12 official or candidate during any 12-month period, equals an
13 aggregate value of at least \$3,000 must file a written
14 disclosure with the State Board of Elections within 2 business
15 days after making any expenditure that results in the natural
16 person meeting or exceeding the \$3,000 threshold. Each
17 disclosure must identify the natural person, the public
18 official or candidate supported or opposed, the date, amount,
19 and nature of each independent expenditure, and the natural
20 person's occupation and employer.

21 (b) Any entity other than a natural person that makes
22 expenditures of any kind in an aggregate amount exceeding
23 \$3,000 during any 12-month period supporting or opposing a
24 public official or candidate must organize as a political
25 committee in accordance with this Article.

26 (c) Every political committee that makes independent

1 expenditures must report all such independent expenditures as
2 required under Section 9-10 of this Article.

3 (10 ILCS 5/9-9) (from Ch. 46, par. 9-9)

4 Sec. 9-9. Any ~~State~~ political committee shall include on
5 all literature and advertisements soliciting funds the
6 following notice:

7 "A copy of our report filed with the State Board of
8 Elections is (or will be) available on the Board's official
9 website (insert the current website address) or for purchase
10 from the State Board of Elections, Springfield, Illinois."

11 ~~Any local political committee shall include on all~~
12 ~~literature and advertisements soliciting funds the following~~
13 ~~notice:~~

14 ~~"A copy of our report filed with the county clerk is (or~~
15 ~~will be) available for purchase from the county clerk, (county~~
16 ~~clerk's address), Illinois."~~

17 ~~Any political committee that acts as both a state political~~
18 ~~committee and a local political committee shall include on all~~
19 ~~literature and advertisements soliciting funds the following~~
20 ~~notice:~~

21 ~~"A copy of our report filed with the State Board of~~
22 ~~Elections and the county clerk is (or will be) available for~~
23 ~~purchase from the State Board of Elections, Springfield,~~
24 ~~Illinois, and from the county clerk, (county clerk's address),~~
25 ~~Illinois."~~

1 (Source: P.A. 83-259.)

2 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

3 Sec. 9-10. Disclosure of contributions and expenditures
4 ~~Financial reports.~~

5 (a) The treasurer of every ~~state~~ political committee ~~and~~
6 ~~the treasurer of every local political committee~~ shall file
7 with the Board, ~~and the treasurer of every local political~~
8 ~~committee shall file with the county clerk,~~ reports of campaign
9 contributions, ~~and semi-annual reports of campaign~~
10 ~~contributions~~ and expenditures as required by this Section on
11 forms to be prescribed or approved by the Board. ~~The treasurer~~
12 ~~of every political committee that acts as both a state~~
13 ~~political committee and a local political committee shall file~~
14 ~~a copy of each report with the State Board of Elections and the~~
15 ~~county clerk. Entities subject to Section 9-7.5 shall file~~
16 ~~reports required by that Section at times provided in this~~
17 ~~Section and are subject to the penalties provided in this~~
18 ~~Section.~~

19 (b) Every political committee shall file quarterly reports
20 of campaign contributions, expenditures, and independent
21 expenditures. The reports shall cover the period January 1
22 through March 31, April 1 through June 30, July 1 through
23 September 30, and October 1 through December 31 of each year. A
24 political committee shall file quarterly reports no later than
25 the 15th day of the month following each period. Reports of

1 contributions and expenditures must be filed to cover the
2 prescribed time periods even though no contributions or
3 expenditures may have been received or made during the period.
4 The Board shall assess a civil penalty not to exceed \$5,000 for
5 failure to file a report required by this subsection. The fine,
6 however, shall not exceed \$1,000 for a first violation if the
7 committee files less than 10 days after the deadline. There
8 shall be no fine if the report is mailed and postmarked at
9 least 72 hours prior to the filing deadline. When considering
10 the amount of the fine to be imposed, the Board shall consider
11 whether the violation was committed inadvertently,
12 negligently, knowingly, or intentionally and any past
13 violations of this Section.

14 (c) A political committee shall file a report of any
15 contribution of \$1,000 or more electronically with the Board
16 within 5 business days after receipt of the contribution,
17 except that the report shall be filed within 2 business days
18 after receipt if (i) the contribution is received 30 or fewer
19 days before the date of an election and (ii) the political
20 committee supports or opposes a candidate or public question on
21 the ballot at that election or makes expenditures in excess of
22 \$500 on behalf of or in opposition to a candidate, candidates,
23 a public question, or public questions on the ballot at that
24 election. The State Board shall allow filings of reports of
25 contributions of \$1,000 or more by political committees that
26 are not required to file electronically to be made by facsimile

1 transmission. The Board shall assess a civil penalty for
2 failure to file a report required by this subsection. Failure
3 to report each contribution is a separate violation of this
4 subsection. The Board shall impose fines for willful or wanton
5 violations of this subsection (c) not to exceed 150% of the
6 total amount of the contributions that were untimely reported,
7 but in no case shall it be less than 10% of the total amount of
8 the contributions that were untimely reported. When
9 considering the amount of the fine to be imposed for willful or
10 wanton violations, the Board shall consider the number of days
11 the contribution was reported late and past violations of this
12 Section and Section 9-3. The Board may impose a fine for
13 negligent or inadvertent violations of this subsection not to
14 exceed 50% of the total amount of the contributions that were
15 untimely reported, or the Board may waive the fine. When
16 considering whether to impose a fine and the amount of the
17 fine, the Board shall consider the following factors: (1)
18 whether the political committee made an attempt to disclose the
19 contribution and any attempts made to correct the violation,
20 (2) whether the violation is attributed to a clerical or
21 computer error, (3) the amount of the contribution, (4) whether
22 the violation arose from a discrepancy between the date the
23 contribution was reported transferred by a political committee
24 and the date the contribution was received by a political
25 committee, (5) the number of days the contribution was reported
26 late, and (6) past violations of this Section and Section 9-3

1 by the political committee.

2 (d) For the purpose of this Section, a contribution is
3 considered received on the date (i) a monetary contribution was
4 deposited in a bank, financial institution, or other repository
5 of funds for the committee, (ii) the date a committee receives
6 notice a monetary contribution was deposited by an entity used
7 to process financial transactions by credit card or other
8 entity used for processing a monetary contribution that was
9 deposited in a bank, financial institution, or other repository
10 of funds for the committee, or (iii) the public official,
11 candidate, or political committee receives the notification of
12 contribution of goods or services as required under subsection
13 (b) of Section 9-6.

14 (e) A political committee that makes independent
15 expenditures of \$1,000 or more during the period 30 days or
16 fewer before an election shall electronically file a report
17 with the Board within 5 business days after making the
18 independent expenditure. The report shall contain the
19 information required in Section 9-11(c) of this Article. This
20 ~~subsection does not apply with respect to general primary~~
21 ~~elections. Reports of campaign contributions shall be filed no~~
22 ~~later than the 15th day next preceding each election in~~
23 ~~connection with which the political committee has accepted or~~
24 ~~is accepting contributions or has made or is making~~
25 ~~expenditures. Such reports shall be complete as of the 30th day~~
26 ~~next preceding each election. The Board shall assess a civil~~

~~penalty not to exceed \$5,000 for a violation of this subsection, except that for State officers and candidates and political committees formed for statewide office, the civil penalty may not exceed \$10,000. The fine, however, shall not exceed \$500 for a first filing violation for filing less than 10 days after the deadline. There shall be no fine if the report is mailed and postmarked at least 72 hours prior to the filing deadline. For the purpose of this subsection, "statewide office" and "State officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. However, a continuing political committee that does not make an expenditure or expenditures in an aggregate amount of more than \$500 on behalf of or in opposition to any (i) candidate or candidates, (ii) public question or questions, or (iii) candidate or candidates and public question or questions on the ballot at an election shall not be required to file the reports prescribed in this subsection (b) and subsection (b 5) but may file in lieu thereof a Statement of Nonparticipation in the Election with the Board or the Board and the county clerk ; except that if the political committee, by the terms of its statement of organization filed in accordance with this Article, is organized to support or oppose a candidate or public question on the ballot at the next election or primary, that committee must file reports required by this subsection (b) and by subsection (b 5).~~

~~(b 5) Notwithstanding the provisions of subsection (b) and~~

~~Section 1.25 of the Statute on Statutes, any contribution of more than \$500 received (i) with respect to elections other than the general primary election, in the interim between the last date of the period covered by the last report filed under subsection (b) prior to the election and the date of the election or (ii) with respect to general primary elections, in the period beginning January 1 of the year of the general primary election and prior to the date of the general primary election shall be filed with and must actually be received by the State Board of Elections within 2 business days after receipt of such contribution. A continuing political committee that does not support or oppose a candidate or public question on the ballot at a general primary election and does not make expenditures in excess of \$500 on behalf of or in opposition to any candidate or public question on the ballot at the general primary election shall not be required to file the report prescribed in this subsection unless the committee makes an expenditure in excess of \$500 on behalf of or in opposition to any candidate or public question on the ballot at the general primary election. The committee shall timely file the report required under this subsection beginning with the date the expenditure that triggered participation was made. The State Board shall allow filings of reports of contributions of more than \$500 under this subsection (b-5) by political committees that are not required to file electronically to be made by facsimile transmission. For the purpose of this subsection, a~~

1 ~~contribution is considered received on the date the public~~
2 ~~official, candidate, or political committee (or equivalent~~
3 ~~person in the case of a reporting entity other than a political~~
4 ~~committee) actually receives it or, in the case of goods or~~
5 ~~services, 2 business days after the date the public official,~~
6 ~~candidate, committee, or other reporting entity receives the~~
7 ~~certification required under subsection (b) of Section 9-6.~~
8 ~~Failure to report each contribution is a separate violation of~~
9 ~~this subsection. In the final disposition of any matter by the~~
10 ~~Board on or after the effective date of this amendatory Act of~~
11 ~~the 93rd General Assembly, the Board may impose fines for~~
12 ~~violations of this subsection not to exceed 100% of the total~~
13 ~~amount of the contributions that were untimely reported, but in~~
14 ~~no case when a fine is imposed shall it be less than 10% of the~~
15 ~~total amount of the contributions that were untimely reported.~~
16 ~~When considering the amount of the fine to be imposed, the~~
17 ~~Board shall consider, but is not limited to, the following~~
18 ~~factors:~~

19 ~~(1) whether in the Board's opinion the violation was~~
20 ~~committed inadvertently, negligently, knowingly, or~~
21 ~~intentionally;~~

22 ~~(2) the number of days the contribution was reported~~
23 ~~late; and~~

24 ~~(3) past violations of Sections 9-3 and 9-10 of this~~
25 ~~Article by the committee.~~

26 ~~(c) In addition to such reports the treasurer of every~~

~~political committee shall file semi-annual reports of campaign contributions and expenditures no later than July 20th, covering the period from January 1st through June 30th immediately preceding, and no later than January 20th, covering the period from July 1st through December 31st of the preceding calendar year. Reports of contributions and expenditures must be filed to cover the prescribed time periods even though no contributions or expenditures may have been received or made during the period. The Board shall assess a civil penalty not to exceed \$5,000 for a violation of this subsection, except that for State officers and candidates and political committees formed for statewide office, the civil penalty may not exceed \$10,000. The fine, however, shall not exceed \$500 for a first filing violation for filing less than 10 days after the deadline. There shall be no fine if the report is mailed and postmarked at least 72 hours prior to the filing deadline. For the purpose of this subsection, "statewide office" and "State officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer.~~

~~(c-5) A political committee that acts as either (i) a State and local political committee or (ii) a local political committee and that files reports electronically under Section 9-28 is not required to file copies of the reports with the appropriate county clerk if the county clerk has a system that permits access to, and duplication of, reports that are filed with the State Board of Elections. A State and local political~~

1 ~~committee or a local political committee shall file with the~~
2 ~~county clerk a copy of its statement of organization pursuant~~
3 ~~to Section 9-3.~~

4 (f) ~~(d)~~ A copy of each report or statement filed under this
5 Article shall be preserved by the person filing it for a period
6 of two years from the date of filing.

7 (Source: P.A. 94-645, eff. 8-22-05; 95-6, eff. 6-20-07; 95-957,
8 eff. 1-1-09.)

9 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

10 Sec. 9-11. Financial reports.

11 (a) Each quarterly report of campaign contributions,
12 expenditures, and independent expenditures under Section 9-10
13 shall disclose the following:

14 (1) the name and address of the political committee;

15 (2) the name and address of the person submitting the
16 report on behalf of the committee, if other than the
17 chairman or treasurer;

18 (3) the amount of funds on hand at the beginning of the
19 reporting period;

20 (4) the full name and mailing address of each person
21 who has made one or more contributions to or for the
22 committee within the reporting period in an aggregate
23 amount or value in excess of \$150, together with the
24 amounts and dates of those contributions, and, if the
25 contributor is an individual who contributed more than

1 \$500, the occupation and employer of the contributor or, if
2 the occupation and employer of the contributor are unknown,
3 a statement that the committee has made a good faith effort
4 to ascertain this information;

5 (5) the total sum of individual contributions made to
6 or for the committee during the reporting period and not
7 reported under item (4);

8 (6) the name and address of each political committee
9 from which the reporting committee received, or to which
10 that committee made, any transfer of funds in the aggregate
11 amount or value in excess of \$150, together with the
12 amounts and dates of all transfers;

13 (7) the total sum of transfers made to or from the
14 committee during the reporting period and not reported
15 under item (6);

16 (8) each loan to or from any person, political
17 committee, or financial institution within the reporting
18 period by or to the committee in an aggregate amount or
19 value in excess of \$150, together with the full names and
20 mailing addresses of the lender and endorsers, if any; the
21 dates and amounts of the loans; and, if a lender or
22 endorser is an individual who loaned or endorsed a loan of
23 more than \$500, the occupation and employer of that
24 individual or, if the occupation and employer of the
25 individual are unknown, a statement that the committee has
26 made a good faith effort to ascertain this information;

1 (9) the total amount of proceeds received by the
2 committee from (i) the sale of tickets for each dinner,
3 luncheon, cocktail party, rally, and other fund-raising
4 events; (ii) mass collections made at those events; and
5 (iii) sales of items such as political campaign pins,
6 buttons, badges, flags, emblems, hats, banners,
7 literature, and similar materials;

8 (10) each contribution, rebate, refund, income from
9 investments, or other receipt in excess of \$150 received by
10 the committee not otherwise listed under items (4) through
11 (9) and, if the contributor is an individual who
12 contributed more than \$500, the occupation and employer of
13 the contributor or, if the occupation and employer of the
14 contributor are unknown, a statement that the committee has
15 made a good faith effort to ascertain this information;

16 (11) the total sum of all receipts by or for the
17 committee or candidate during the reporting period;

18 (12) the full name and mailing address of each person
19 to whom expenditures have been made by the committee or
20 candidate within the reporting period in an aggregate
21 amount or value in excess of \$150; the amount, date, and
22 purpose of each of those expenditures; and the question of
23 public policy or the name and address of, and the office
24 sought by, each candidate on whose behalf that expenditure
25 was made;

26 (13) the full name and mailing address of each person

1 to whom an expenditure for personal services, salaries, and
2 reimbursed expenses in excess of \$150 has been made and
3 that is not otherwise reported, including the amount, date,
4 and purpose of the expenditure;

5 (14) the value of each asset held as an investment, as
6 of the final day of the reporting period;

7 (15) the total sum of expenditures made by the
8 committee during the reporting period; and

9 (16) the full name and mailing address of each person
10 to whom the committee owes debts or obligations in excess
11 of \$150 and the amount of those debts or obligations.

12 For purposes of reporting campaign receipts and expenses,
13 income from investments shall be included as receipts during
14 the reporting period they are actually received. The gross
15 purchase price of each investment shall be reported as an
16 expenditure at time of purchase. Net proceeds from the sale of
17 an investment shall be reported as a receipt. During the period
18 investments are held they shall be identified by name and
19 quantity of security or instrument on each semi-annual report
20 during the period.

21 (b) Each report of a campaign contribution of \$1,000 or
22 more required ~~contributions~~ under subsection (c) of Section
23 9-10 shall disclose the following:-

24 (1) the name and address of the political committee;

25 (2) the name and address of the person submitting the
26 report on behalf of the committee, if other than the

1 chairman or treasurer ~~(Blank); and~~

2 ~~(3) the amount of funds on hand at the beginning of the~~
3 ~~reporting period;~~

4 (3) ~~(4)~~ the full name and mailing address of each
5 person who has made a contribution of \$1,000 or more. ~~one~~
6 ~~or more contributions to or for such committee within the~~
7 ~~reporting period in an aggregate amount or value in excess~~
8 ~~of \$150, together with the amount and date of such~~
9 ~~contributions, and if a contributor is an individual who~~
10 ~~contributed more than \$500, the occupation and employer of~~
11 ~~the contributor or, if the occupation and employer of the~~
12 ~~contributor are unknown, a statement that the committee has~~
13 ~~made a good faith effort to ascertain this information;~~

14 ~~(5) the total sum of individual contributions made to~~
15 ~~or for such committee during the reporting period and not~~
16 ~~reported under item (4);~~

17 ~~(6) the name and address of each political committee~~
18 ~~from which the reporting committee received, or to which~~
19 ~~that committee made, any transfer of funds, in any~~
20 ~~aggregate amount or value in excess of \$150, together with~~
21 ~~the amounts and dates of all transfers;~~

22 ~~(7) the total sum of transfers made to or from such~~
23 ~~committee during the reporting period and not reported~~
24 ~~under item (6);~~

25 ~~(8) each loan to or from any person within the~~
26 ~~reporting period by or to such committee in an aggregate~~

~~amount or value in excess of \$150, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loans, and if a lender or endorser is an individual who loaned or endorsed a loan of more than \$500, the occupation and employer of that individual, or if the occupation and employer of the individual are unknown, a statement that the committee has made a good faith effort to ascertain this information;~~

~~(9) the total amount of proceeds received by such committee from (a) the sale of tickets for each dinner, luncheon, cocktail party, rally, and other fund raising events; (b) mass collections made at such events; and (c) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;~~

~~(10) each contribution, rebate, refund, or other receipt in excess of \$150 received by such committee not otherwise listed under items (4) through (9), and if a contributor is an individual who contributed more than \$500, the occupation and employer of the contributor or, if the occupation and employer of the contributor are unknown, a statement that the committee has made a good faith effort to ascertain this information;~~

~~(11) the total sum of all receipts by or for such committee or candidate during the reporting period.~~

(c) Each quarterly report shall include the following

1 information regarding any independent expenditures made during
2 the reporting period: (1) the full name and mailing address of
3 each person to whom an expenditure in excess of \$150 has been
4 made in connection with an independent expenditure; (2) the
5 amount, date, and purpose of such expenditure; (3) a statement
6 whether the independent expenditure was in support of or in
7 opposition to a particular candidate; (4) the name of the
8 candidate; (5) the office and, when applicable, district,
9 sought by the candidate; and (6) a certification, under penalty
10 of perjury, that such expenditure was not made in co-operation,
11 consultation, or concert with, or at the request or suggestion
12 of, any candidate or any authorized committee or agent of such
13 committee. The report shall also include (I) the total of all
14 independent expenditures of \$150 or less made during the
15 reporting period and (II) the total amount of all independent
16 expenditures made during the reporting period.

17 (d) The Board shall by rule define a "good faith effort".

18 The reports of campaign contributions filed under this
19 Article shall be cumulative during the reporting period to
20 which they relate.

21 (e) Each report shall be verified, dated, and signed by
22 either the treasurer of the political committee or the
23 candidate on whose behalf the report is filed and shall contain
24 the following verification:

25 "I declare that this report (including any accompanying
26 schedules and statements) has been examined by me and, to the

1 best of my knowledge and belief, is a true, correct, and
2 complete report as required by Article 9 of The Election Code.
3 I understand that willfully filing a false or incomplete
4 statement is subject to a civil penalty of up to \$5,000."

5 (f) A political committee may amend a report filed under
6 subsection (a) or (b). The Board may reduce or waive a fine if
7 the amendment is due to a technical or inadvertent error and
8 the political committee files the amended report, except that a
9 report filed under subsection (b) must be amended within 5
10 business days. The State Board shall ensure that a description
11 of the amended information is available to the public. The
12 Board may promulgate rules to enforce this subsection.

13 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

14 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

15 Sec. 9-13. Audits of political committees.

16 (a) The Board shall have the authority to order a political
17 committee to conduct an audit of the financial records required
18 to be maintained by the committee to ensure compliance with
19 Sections 9-8.5 and 9-10. Audits ordered by the Board shall be
20 conducted as provided in this Section and as provided by Board
21 rule.

22 (b) The Board may order an political committee to conduct
23 an audit of its financial records for any of the following
24 reasons: (i) a discrepancy between the ending balance of a
25 reporting period and the beginning balance of the next

1 reporting period, (ii) failure to account for previously
2 reported investments or loans, or (iii) a discrepancy between
3 reporting contributions received by or expenditures made for a
4 political committee that are reported by another political
5 committee, except the Board shall not order an audit pursuant
6 to this item (iii) unless there is a willful pattern of
7 inaccurate reporting or there is a pattern of similar
8 inaccurate reporting involving similar contributions by the
9 same contributor. Prior to ordering an audit, the Board shall
10 afford the political committee due notice and an opportunity
11 for a closed preliminary hearing. A political committee shall
12 hire an entity qualified to perform an audit; except, a
13 political committee shall not hire a person that has
14 contributed to the political committee during the previous 4
15 years.

16 (c) In each calendar year, the Board shall randomly order
17 no more than 3% of registered political committees to conduct
18 an audit. The Board shall establish a standard, scientific
19 method of selecting the political committees that are to be
20 audited so that every political committee has an equal
21 mathematical chance of being selected.

22 (d) Upon receipt of notification from the Board ordering an
23 audit, a political committee shall conduct an audit of the
24 financial records required to be maintained by the committee to
25 ensure compliance with the contribution limitations
26 established in Section 9-8.5 and the reporting requirements

1 established in Section 9-3 and Section 9-10 for a period of 2
2 years or the period since the committee was previously ordered
3 to conduct an audit, whichever is shorter. The entity
4 performing the audit shall review the amount of funds and
5 investments maintained by the political committee and ensure
6 the financial records accurately account for any contributions
7 and expenditures made by the political committee. A certified
8 copy of the audit shall be delivered to the Board within 60
9 calendar days after receipt of notice from the Board, unless
10 the Board grants an extension to complete the audit. A
11 political committee ordered to conduct an audit through the
12 random selection process shall not be required to conduct
13 another audit for a minimum of 5 years unless the Board has
14 reason to believe the political committee is in violation of
15 Section 9-3, 9-8.5, or 9-10.

16 (e) The Board shall not disclose the name of any political
17 committee ordered to conduct an audit or any documents in
18 possession of the Board related to an audit unless, after
19 review of the audit findings, the Board has reason to believe
20 the political committee is in violation of Section 9-3, 9-8.5,
21 or 9-10 and the Board imposed a fine.

22 (f) Failure to deliver a certified audit in a timely manner
23 is a business offense punishable by a fine of \$250 per day that
24 the audit is late, up to a maximum of \$5,000.

25 ~~Each semi annual report of campaign contributions and~~
26 ~~expenditures under Section 9-10 shall disclose~~

1 ~~(1) the name and address of the political committee;~~
2 ~~(2) (Blank);~~
3 ~~(3) the amount of funds on hand at the beginning of the~~
4 ~~reporting period;~~
5 ~~(4) the full name and mailing address of each person who~~
6 ~~has made one or more contributions to or for such committee~~
7 ~~within the reporting period in an aggregate amount or value in~~
8 ~~excess of \$150, together with the amount and date of such~~
9 ~~contributions, and if the contributor is an individual who~~
10 ~~contributed more than \$500, the occupation and employer of the~~
11 ~~contributor or, if the occupation and employer of the~~
12 ~~contributor are unknown, a statement that the committee has~~
13 ~~made a good faith effort to ascertain this information;~~
14 ~~(5) the total sum of individual contributions made to or~~
15 ~~for such committee during the reporting period and not reported~~
16 ~~under item (4);~~
17 ~~(6) the name and address of each political committee from~~
18 ~~which the reporting committee received, or to which that~~
19 ~~committee made, any transfer of funds, in the aggregate amount~~
20 ~~or value in excess of \$150, together with the amounts and dates~~
21 ~~of all transfers;~~
22 ~~(7) the total sum of transfers made to or from such~~
23 ~~committee during the reporting period and not reported under~~
24 ~~item (6);~~
25 ~~(8) each loan to or from any person within the reporting~~
26 ~~period by or to such committee in an aggregate amount or value~~

1 ~~in excess of \$150, together with the full names and mailing~~
2 ~~addresses of the lender and endorsers, if any, and the date and~~
3 ~~amount of such loans, and if a lender or endorser is an~~
4 ~~individual who loaned or endorsed a loan of more than \$500, the~~
5 ~~occupation and employer of that individual, or if the~~
6 ~~occupation and employer of the individual are unknown, a~~
7 ~~statement that the committee has made a good faith effort to~~
8 ~~ascertain this information;~~

9 ~~(9) the total amount of proceeds received by such committee~~
10 ~~from (a) the sale of tickets for each dinner, luncheon,~~
11 ~~cocktail party, rally, and other fund raising events; (b) mass~~
12 ~~collections made at such events; and (c) sales of items such as~~
13 ~~political campaign pins, buttons, badges, flags, emblems,~~
14 ~~hats, banners, literature, and similar materials;~~

15 ~~(10) each contribution, rebate, refund, or other receipt in~~
16 ~~excess of \$150 received by such committee not otherwise listed~~
17 ~~under items (4) through (9), and if the contributor is an~~
18 ~~individual who contributed more than \$500, the occupation and~~
19 ~~employer of the contributor or, if the occupation and employer~~
20 ~~of the contributor are unknown, a statement that the committee~~
21 ~~has made a good faith effort to ascertain this information;~~

22 ~~(11) the total sum of all receipts by or for such committee~~
23 ~~or candidate during the reporting period;~~

24 ~~(12) the full name and mailing address of each person to~~
25 ~~whom expenditures have been made by such committee or candidate~~
26 ~~within the reporting period in an aggregate amount or value in~~

1 ~~excess of \$150, the amount, date, and purpose of each such~~
2 ~~expenditure and the question of public policy or the name and~~
3 ~~address of, and office sought by, each candidate on whose~~
4 ~~behalf such expenditure was made;~~

5 ~~(13) the full name and mailing address of each person to~~
6 ~~whom an expenditure for personal services, salaries, and~~
7 ~~reimbursed expenses in excess of \$150 has been made, and which~~
8 ~~is not otherwise reported, including the amount, date, and~~
9 ~~purpose of such expenditure;~~

10 ~~(14) the total sum of expenditures made by such committee~~
11 ~~during the reporting period;~~

12 ~~(15) the full name and mailing address of each person to~~
13 ~~whom the committee owes debts or obligations in excess of \$150,~~
14 ~~and the amount of such debts or obligations.~~

15 ~~The Board shall by rule define a "good faith effort".~~

16 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

17 (10 ILCS 5/9-16) (from Ch. 46, par. 9-16)

18 Sec. 9-16. It shall be the duty of the board and of each
19 county clerk-

20 ~~(1) to make the reports and statements filed with them~~
21 ~~available for public inspection and copying, commencing as soon~~
22 ~~as practicable but not later than the end of the second day~~
23 ~~following the day during which it was received, and to permit~~
24 ~~copying of any such report or statement by hand or at cost by~~
25 ~~duplicating machine, as requested by any person, at the expense~~

1 ~~of such person;~~

2 ~~(2) to preserve such reports and statements for a period of~~
3 ~~2 years from the date of receipt;~~

4 ~~(3) to develop a filing, coding, and cross-indexing system~~
5 ~~consonant with the purposes of this Article;~~

6 ~~(4) to compile and maintain a current list of all~~
7 ~~statements or parts of statements pertaining to each candidate;~~

8 ~~(5) to prepare and publish such reports as the board or~~
9 ~~county clerk may deem appropriate;~~

10 ~~(6) to report apparent violations of law to the appropriate~~
11 ~~law enforcement authorities; and~~

12 ~~(7) to provide to each candidate at the time he files his~~
13 ~~nomination papers a notice of obligations under this Article.~~

14 ~~Said notice shall state that the manual of instructions and~~
15 ~~forms for the statements required to be filed under this~~
16 ~~Article are available from the Board or the county clerk upon~~
17 ~~request. Said notice shall be given each candidate by the Board~~
18 ~~or county clerk and the candidate shall receipt therefor.~~

19 However, if a candidate files his nomination papers by mail or
20 if an agent of the candidate files nomination papers on behalf
21 of the candidate, the Board or the county clerk shall within 2
22 business days of the day and hour endorsed on the petition send
23 such notice to the candidate by first class mail. Such notice
24 shall briefly outline who is required to file under the
25 campaign disclosure law and the penalties for failure to file.

26 The notice of obligations under this Article shall be prepared

1 by the Board.

2 ~~Thereafter, at least 30 days before each filing date for~~
3 ~~reports of campaign contributions and for semi-annual reports~~
4 ~~of campaign contributions and expenditures, the Board shall~~
5 ~~send by first class mail to each political committee that has~~
6 ~~filed a statement of organization with the Board or the Board~~
7 ~~and the county clerk, a notice of obligations under this~~
8 ~~Article, and appropriate forms for filing the report. The~~
9 ~~notice shall contain a statement that the manual of~~
10 ~~instructions is available from the Board or the county clerk~~
11 ~~upon request.~~

12 ~~The board or the appropriate clerk shall preserve the~~
13 ~~receipts for said packets and notices for a period of 2 years~~
14 ~~from the date of receipt.~~

15 (Source: P.A. 86-873.)

16 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

17 Sec. 9-21. Upon receipt of a such complaint as provided in
18 Section 9-20, the Board shall hold a closed preliminary hearing
19 to determine whether or not the complaint appears to have been
20 filed on justifiable grounds. Such closed preliminary hearing
21 shall be conducted as soon as practicable after affording
22 reasonable notice, a copy of the complaint, and an opportunity
23 to testify at such hearing to both the person making the
24 complaint and the person against whom the complaint is
25 directed. If the Board fails to determine that the complaint

1 has been filed on justifiable grounds, it shall dismiss the
2 complaint without further hearing. Any additional hearings
3 shall be open to the public.

4 Whenever ~~in the judgment of the Board,~~ in an open meeting,
5 determines, after affording due notice and an opportunity for a
6 public hearing, that any person has engaged or is about to
7 engage in an act or practice which constitutes or will
8 constitute a violation of any provision of this Article or any
9 regulation or order issued thereunder, the Board shall issue an
10 order directing such person to take such action as the Board
11 determines may be necessary in the public interest to correct
12 the violation. In addition, if the act or practice engaged in
13 consists of the failure to file any required report within the
14 time prescribed by this Article, the Board, as part of its
15 order, shall further provide that if, within the 12-month
16 period following the issuance of the order, such person fails
17 to file within the time prescribed by this Article any
18 subsequent report as may be required, such person may be
19 subject to a civil penalty pursuant to Section 9-23. The Board
20 shall render its final judgment within 60 days of the date the
21 complaint is filed; except that during the 60 days preceding
22 the date of the election in reference to which the complaint is
23 filed, the Board shall render its final judgment within 7 days
24 of the date the complaint is filed, and during the 7 days
25 preceding such election, the Board shall render such judgment
26 before the date of such election, if possible.

1 At any time prior to the issuance of the Board's final
2 judgment, the parties may dispose of the complaint by a written
3 stipulation, agreed settlement or consent order. Any such
4 stipulation, settlement or order shall, however, be submitted
5 in writing to the Board and shall become effective only if
6 approved by the Board in an open meeting. If the act or
7 practice complained of consists of the failure to file any
8 required report within the time prescribed by this Article,
9 such stipulation, settlement or order may provide that if,
10 within the 12-month period following the approval of such
11 stipulation, agreement or order, the person complained of fails
12 to file within the time prescribed by this Article any
13 subsequent reports as may be required, such person may be
14 subject to a civil penalty pursuant to Section 9-23.

15 Any person filing a complaint pursuant to Section 9-20 may,
16 upon written notice to the other parties and to the Board,
17 voluntarily withdraw the complaint at any time prior to the
18 issuance of the Board's final determination.

19 (Source: P.A. 93-574, eff. 8-21-03.)

20 (10 ILCS 5/9-23.5 new)

21 Sec. 9-23.5. Public database of founded complaints. The
22 State Board of Elections shall establish and maintain on its
23 official website a searchable database, freely accessible to
24 the public, of each complaint filed with the Board under this
25 Article with respect to which Board action was taken, including

1 all Board actions and penalties imposed, if any. The Board must
2 update the database within 5 business days after an action is
3 taken or a penalty is imposed to include that complaint,
4 action, or penalty in the database. The Task Force on Campaign
5 Finance Reform shall make recommendations on improving access
6 to information related to founded complaints.

7 (10 ILCS 5/9-28)

8 Sec. 9-28. Electronic filing and availability. The Board
9 shall by rule provide for the electronic filing of expenditure
10 and contribution reports as follows:

11 Electronic ~~Beginning July 1, 1999, or as soon thereafter as~~
12 ~~the Board has provided adequate software to the political~~
13 ~~committee, electronic~~ filing is required for all political
14 committees that during the reporting period (i) had at any time
15 a balance or an accumulation of contributions of \$10,000
16 ~~\$25,000~~ or more, (ii) made aggregate expenditures of \$10,000
17 ~~\$25,000~~ or more, or (iii) received loans of an aggregate of
18 \$10,000 ~~\$25,000~~ or more.

19 ~~Beginning July 1, 2003, electronic filing is required for~~
20 ~~all political committees that during the reporting period (i)~~
21 ~~had at any time a balance or an accumulation of contributions~~
22 ~~of \$10,000 or more, (ii) made aggregate expenditures of \$10,000~~
23 ~~or more, or (iii) received loans of an aggregate of \$10,000 or~~
24 ~~more.~~

25 The Board may provide by rule for the optional electronic

1 filing of expenditure and contribution reports for all other
2 political committees. The Board shall promptly make all reports
3 filed under this Article by all political committees publicly
4 available by means of a searchable database that is accessible
5 on the Board's website ~~through the World Wide Web.~~

6 The Board shall provide all software necessary to comply
7 with this Section to candidates, public officials, political
8 committees, and election authorities.

9 The Board shall implement a plan to provide computer access
10 and assistance to candidates, public officials, political
11 committees, and election authorities with respect to
12 electronic filings required under this Article.

13 ~~For the purposes of this Section, "political committees"~~
14 ~~includes entities required to report to the Board under Section~~
15 ~~9-7.5.~~

16 (Source: P.A. 90-495, eff. 8-18-97; 90-737, eff. 1-1-99.)

17 (10 ILCS 5/9-28.5 new)

18 Sec. 9-28.5. Injunctive relief for electioneering
19 communications.

20 (a) Whenever the Attorney General, or a State's Attorney
21 with jurisdiction over any portion of the relevant electorate,
22 believes that any person, as defined in Section 9-1.6, is
23 making, producing, publishing, republishing, or broadcasting
24 an electioneering communication paid for by any person, as
25 defined in Section 9-1.6, who has not first complied with the

1 registration and disclosure requirements of this Article, he or
2 she may bring an action in the name of the People of the State
3 of Illinois or, in the case of a State's Attorney, the People
4 of the County, against such person or persons to restrain by
5 preliminary or permanent injunction the making, producing,
6 publishing, republishing, or broadcasting of such
7 electioneering communication until the registration and
8 disclosure requirements have been met.

9 (b) Any political committee that believes any person, as
10 defined in Section 9-1.6, is making, producing, publishing,
11 republishing, or broadcasting an electioneering communication
12 paid for by any person, as defined in Section 9-1.6, who has
13 not first complied with the registration and disclosure
14 requirements of this Article may bring an action in the circuit
15 court against such person or persons to restrain by preliminary
16 or permanent injunction the making, producing, publishing,
17 republishing, or broadcasting of such electioneering
18 communication until the registration and disclosure
19 requirements have been met.

20 (10 ILCS 5/9-30)

21 Sec. 9-30. Ballot forfeiture. The State Board of Elections
22 shall not certify the ~~The~~ name of any ~~a~~ person who has not paid
23 a civil penalty imposed against his or her political committee
24 ~~him or her~~ under this Article to ~~shall not~~ appear upon any
25 ballot for any office in any election if ~~while~~ the penalty is

1 unpaid by the date required for certification.

2 The State Board of Elections shall generate a list of all
3 candidates whose political committees have not paid any civil
4 penalty assessed against them under this Article. Such list
5 shall be transmitted to any election authority whose duty it is
6 to place the name of any such candidate on the ballot. The
7 election authority shall not place upon the ballot the name of
8 any candidate appearing on this list for any office in any
9 election while the penalty is unpaid, unless the candidate has
10 requested a hearing and the Board has not disposed of the
11 matter by the date of certification.

12 (Source: P.A. 93-615, eff. 11-19-03.)

13 (10 ILCS 5/9-40 new)

14 Sec. 9-40. Campaign Finance Reform Task Force.

15 (a) There is hereby created the Campaign Finance Reform
16 Task Force. The purpose of the Task Force is to conduct a
17 thorough review of the implementation of campaign finance
18 reform legislation in the State of Illinois, and the
19 feasibility of implementing a mechanism of campaign finance
20 regulation that would subsidize political campaigns in
21 exchange for voluntary adherence to specified expenditure
22 limitations.

23 (b) The Task Force shall consist of 11 members, appointed
24 as follows: 2 each by the Speaker of the House of
25 Representatives, the Minority Leader of the House of

1 Representatives, the President of the Senate, and the Minority
2 Leader of the Senate; and 3 by the Governor, one of whom shall
3 serve as chairperson. Members shall be adults and residents of
4 Illinois. The individual (or his or her successor) who
5 appointed a member may remove that appointed member before the
6 expiration of his or her term on the Task Force for official
7 misconduct, incompetence, or neglect of duty. Members shall
8 serve without compensation, but may be reimbursed for expenses.
9 Appointments shall be made within 60 days after the effective
10 date of this amendatory Act of the 96th General Assembly.

11 (c) The Task Force shall conduct meetings and conduct a
12 public hearing before filing any report mandated by this
13 Section. At the public hearings, the Task Force shall allow
14 interested persons to present their views and comments. The
15 Task Force shall submit all reports required by this Section to
16 the Governor, the State Board of Elections, and the General
17 Assembly. In addition to the reports required by this Section,
18 the Task Force may provide, at its discretion, interim reports
19 and recommendations. The State Board of Elections shall provide
20 administrative support to the Task Force.

21 (d) The Task Force shall study the feasibility of
22 implementing a mechanism of campaign finance regulation that
23 would subsidize political campaigns in exchange for voluntary
24 adherence to specified expenditure limitations. In conducting
25 its study, the Task Force shall consider a system of public
26 financing by State government for the conduct and finance of

1 election campaigns for the following: (1) Representatives and
2 Senators in the General Assembly, (2) constitutional offices of
3 State government, and (3) judges. The Task Force may propose
4 financing campaigns through funding mechanisms including, but
5 not limited to, fines, voluntary contributions, surcharges on
6 lobbying activities, and a whistleblower fund. In determining a
7 plan for election to each office, the Task Force shall consider
8 the following factors:

9 (i) the amount of funds raised by past candidates for
10 that office;

11 (ii) the amount of funds expended by past candidates
12 for that office;

13 (iii) the disparity in the amount of funds raised by
14 candidates of different political parties;

15 (iv) the amount of funds expended by entities not
16 affiliated with a candidate;

17 (v) the amount of money contributed to or expended by a
18 committee of a political party to promote a candidate;

19 (vi) jurisprudence with relation to campaign finance
20 and public financing; and

21 (vii) such other factors, not confined to the
22 foregoing, that the Task Force determines to be related to
23 the public financing of elections in this State.

24 The Task Force shall also study the feasibility of creating
25 public financing within the statutory system of limits, or if
26 the system of limits should be changed to facilitate a system

1 of public financing and the need for a process to protect
2 candidates who receive public financing against candidates who
3 do not opt to participate in public financing or who
4 self-finance.

5 The task force shall submit the report required by this
6 subsection no later than December 31, 2011. The Task Force may
7 provide, at its discretion, interim reports and
8 recommendations before that date.

9 (e) The Task Force shall examine and make recommendations
10 related to the provisions of this amendatory Act of the 96th
11 General Assembly in Section 9-8.5 (c-5) and (c-10) limiting
12 contributions to a political party committee from a candidate
13 political committee or political party committee. The Task
14 Force shall submit a report with recommendations required by
15 this subsection no later than September 30, 2012. The Task
16 Force may provide, at its discretion, interim reports and
17 recommendations before that date.

18 (f) The Task Force shall review the implementation of this
19 amendatory Act of the 96th General Assembly and any additional
20 campaign finance reform legislation considered by the General
21 Assembly. The Task Force shall examine each provision of this
22 amendatory Act of the 96th General Assembly and make
23 recommendations for changes, deletions, or improvements. In
24 conducting its review of campaign finance reform
25 implementation, the Task Force shall also consider and address
26 a variety of empirical measures, case studies, and comparative

1 analyses, including, but not limited to the following:

2 (i) campaign finance legislation in other states as
3 well as the federal system of campaign finance regulation;

4 (ii) the impact of contribution limits in Illinois,
5 including the impact on contributions from individuals,
6 corporations, associations, and labor organizations;

7 (iii) the impact of contribution limits on independent
8 expenditures in Illinois;

9 (iv) the effectiveness, reliability, and cost of
10 various enforcement mechanisms;

11 (v) the best practices in mandating timely disclosure
12 of the origin of campaign contributions; and

13 (vi) the best way to require and conduct random audits
14 and audits for cause.

15 The Task Force shall also submit a report detailing the
16 following: (i) the effectiveness of enforcement mechanisms,
17 (ii) whether the disclosure requirements and the definition of
18 "receipt" result in accurate reporting; (iii) issues related to
19 audits, (iv) the effect of using the same election cycle for
20 all members of the General Assembly, and (v) the impact of the
21 Section 9-8.5(h).

22 The Task Force shall submit reports required by this
23 subsection no later than March 1, 2013 and March 1, 2015.

24 (g) The Task Force shall submit a final report by March 10,
25 2015. The Task Force is abolished and this Section is repealed
26 on March 15, 2015.

1 (10 ILCS 5/29-12) (from Ch. 46, par. 29-12)

2 Sec. 29-12. Disregard of Election Code. Except with respect
3 to Article 9 of this Code, any ~~Any~~ person who knowingly (a)
4 does any act prohibited by or declared unlawful by, or (b)
5 fails to do any act required by, this Code, shall, unless a
6 different punishment is prescribed by this Code, be guilty of a
7 Class A misdemeanor.

8 (Source: P.A. 78-887.)

9 (10 ILCS 5/9-1.7 rep.)

10 (10 ILCS 5/9-4 rep.)

11 (10 ILCS 5/9-7.5 rep.)

12 (10 ILCS 5/9-12 rep.)

13 (10 ILCS 5/9-14 rep.)

14 Section 10. The Election Code is amended by repealing
15 Sections 9-1.7, 9-4, 9-7.5, 9-12, and 9-14.

16 Section 97. Severability. The provisions of this Act are
17 severable under Section 1.31 of the Statute on Statutes.

18 Section 99. Effective date. This Act takes effect on
19 January 1, 2011, except that this Section and the changes in
20 Section 5 to Sections 9-1.14, 9-1.15, 9-2, 9-3, 9-8.6, 9-28.5,
21 and 9-40 of the Election Code take effect on July 1, 2010."